

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BOOKER T. HUFFMAN	§	
	§	
V.	§	CIVIL NO. 2:19CV50
	§	
ACTIVISION PUBLISHING, INC., et al	§	

MINUTES FOR SECOND DAY OF TRIAL
HELD BEFORE JUDGE ROBERT W. SCHROEDER III
JUNE 22, 2021

OPEN: 8:32 a.m.

ADJOURN: 5:43 p.m.

ATTORNEY FOR PLAINTIFF:	Patrick Zummo, Micah Dortch and Christopher Lindstrom
ATTORNEYS FOR DEFENDANTS:	Melissa Smith, Daralyn Durie and Leon Carter
LAW CLERK:	Susan Stradley
COURTROOM DEPUTY:	Betty Schroeder
COURT REPORTER:	Kate McAlpine

8:32 a.m.	Outside the presence of the jury, Mr. Zummo argues a violation by Mr. Carter of a motion in limine; Mr. Carter responds; Court questions Mr. Carter; Mr. Carter responds; Mr. Zummo responds; Court responds; Mr. Carter questions the Court regarding Mr. Zummo opening the door regarding the two books written by Mr. Huffman; Mr. Zummo responds; Mr. Dortch responds; Mr. Carter responds; Court responds
8:47 a.m.	Jury seated
8:47 a.m.	Mr. Carter continues with cross examination of Mr. Huffman
8:47 a.m.	Objection by Mr. Zummo; Court - overruled

8:48 a.m. Bench conference

8:49 a.m. Mr. Carter continues with cross examination

8:51 a.m. Objection by Mr. Zummo; Mr. Carter responds; Court - overruled

8:51 a.m. Objection by Mr. Zummo; Mr. Carter responds; Court - rephrase the question

8:56 a.m. Objection by Mr. Zummo; Court - rephrase the question

8:57 a.m. Objection by Mr. Zummo; Court responds

9:00 a.m. Objection by Mr. Carter; Court - sustained

9:03 a.m. Objection by Mr. Zummo; Court - rephrase the question

9:15 a.m. Objection by Mr. Zummo

9:16 a.m. Bench conference

9:18 a.m. Mr. Carter continues with cross examination

9:19 a.m. Objection by Mr. Zummo; Court responds

9:22 a.m. Bench conference

9:23 a.m. Mr. Carter continues with cross examination

9:58 a.m. Mr. Zummo begins redirect examination of Mr. Huffman

10:02 a.m. Objection by Mr. Carter; Court - overruled

10:11 a.m. Objection by Mr. Carter; Court - rephrase the question

10:15 a.m. Mr. Zummo offers Exhibit 171; Mr. Carter objects; Court - will be admitted

10:24 a.m. Objection by Mr. Carter; Court - rephrase the question

10:27 a.m. Objection by Mr. Carter; Court - overruled

10:30 a.m. Recess

10:50 a.m. Jury seated

10:54 a.m. Mr. Carter begins recross examination of Mr. Huffman

11:12 a.m. Mr. Zummo continues with redirect examination of Mr. Huffman

11:13 a.m. Objection by Mr. Carter; Court - rephrase the question

11:13 a.m. Objection by Mr. Carter; Court - overruled

11:14 a.m. Objection by Mr. Carter; Court - overruled

11:15 a.m. Objection by Mr. Carter; Court - overruled

11:16 a.m. Objection by Mr. Carter; Court - sustained

11:17 a.m. Bench conference

11:17 a.m. Mr. Zummo calls Carolyn Wang via video deposition testimony

12:00 p.m. Recess

1:12 p.m. Jury seated

1:15 p.m. Mr. Zummo advises the Court of a mistake on the video regarding an exhibit; Ms. Smith agrees

1:16 p.m. Video deposition of Ms. Wang continues

1:32 p.m. Mr. Zummo calls Daniel Bunting via video deposition testimony

2:07 p.m. Mr. Dortch calls Travis Huffman; witness sworn in

2:09 p.m. Mr. Dortch begins direct examination of Mr. Huffman

2:16 p.m. Objection by Mr. Carter; Court - overruled

2:24 p.m. Objection by Mr. Carter; Court - sustained

2:26 p.m. Objection by Mr. Carter; Court - sustained

2:26 p.m. Objection by Mr. Carter; Court - rephrase the question

2:29 p.m. Mr. Carter begins cross examination of Mr. Huffman

3:00 p.m. Bench conference

3:01 p.m. Mr. Carter continues with cross examination

3:13 p.m. Mr. Dortch begins redirect examination of Mr. Huffman

3:15 p.m. Objection by Mr. Carter; Court - sustained

3:16 p.m. Mr. Carter begins recross examination of Mr. Huffman

3:19 p.m. Mr. Dortch continues with redirect examination of Mr. Huffman

3:19 p.m. Mr. Carter begins recross examination of Mr. Huffman

3:20 p.m. Recess

3:46 p.m. Jury seated

3:48 p.m. Mr. Zummo calls Patrick Yarbrough via video deposition testimony

4:20 p.m. Mr. Zummo calls Heath West via video deposition testimony

4:53 p.m. Bench conference

4:54 p.m. Mr. Zummo calls Alan Hunter via video deposition testimony

5:39 p.m. Jury excused

5:39 p.m. Outside the presence of the jury, Ms. Smith offers all agreed exhibits used yesterday; all will be admitted; Court questions Mr. Dortch regarding remainder of Plaintiff's case; Ms. Smith advises Defendants will have one JMOL at the end of Plaintiff's case tomorrow

5:43 p.m. Recess